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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

INTEL CORPORATION and APPLE INC.,

Plaintiffs,

v.

FORTRESS INVESTMENT GROUP LLC,  
FORTRESS CREDIT CO. LLC, UNILOC  
2017 LLC, UNILOC USA, INC., UNILOC  
LUXEMBOURG S.A.R.L., VLSI  
TECHNOLOGY LLC, INVT SPE LLC,  
INVENTERGY GLOBAL, INC., IXI IP, LLC,  
and SEVEN NETWORKS, LLC,

Defendants.

Case No. 3:19-cv-07651-EMC

**INTEL CORPORATION AND APPLE  
INC.'S ADMINISTRATIVE MOTION TO  
FILE AMENDED COMPLAINT UNDER  
SEAL**

1 In accordance with Civil Local Rules 7-11 and 79-5, Intel Corporation (“Intel”) and  
2 Apple Inc. (“Apple”) submit this motion for an order to seal limited portions of Intel and Apple’s  
3 Amended Complaint (“Amended Complaint”).

4 As set forth in the Declaration of Mark D. Selwyn in Support of Intel and Apple’s  
5 Administrative Motion to File Amended Complaint Under Seal (“Selwyn Decl.”), portions of the  
6 Amended Complaint contain information about Apple’s and Intel’s license and/or patent purchase  
7 agreements with third parties. *See* Selwyn Decl. ¶¶ 2-4. Public disclosure of information regarding  
8 the types of patents licensed or purchased and payment terms from Apple’s and Intel’s license  
9 agreements could negatively affect Apple’s and Intel’s future licenses and settlements. *Id.* ¶ 5; *See,*  
10 *e.g., Electronic Arts, Inc. v. United States District Court for the Northern District of California*, 298  
11 Fed. Appx. 568, 569 (9th Cir. 2008) (pricing terms, royalty rates, guaranteed minimum payment  
12 terms of licensing agreement constituted trade secret); *Powertech Tec., Inc., v. Tessera, Inc.*, No. C  
13 11-6121 CW, 2012 U.S. Dist. LEXIS 75831, at \*5 (N.D. Cal. May 31, 2012) (compelling reasons to  
14 seal license agreement).

15 The Amended Complaint also contains information regarding licensing negotiations that one  
16 or more defendants or non-parties (“Interested Parties”) may seek to seal. Selwyn Decl. ¶ 6.

17 Portions of the Amended Complaint contain information regarding licensing negotiations  
18 between either Intel or Apple and Interested Parties, which the Court sealed in Intel and Apple’s  
19 original complaint. ECF No. 54 at 2; Selwyn Decl. ¶ 7.

20 Portions of the Amended Complaint contain information regarding licensing and/or  
21 acquisition negotiations between either Intel or Apple and Interested Parties that was not discussed  
22 in the original complaint. These negotiations are subject to confidentiality agreements governing the  
23 use and disclosure of Intel’s and Apple’s negotiation communications with these Interested Parties.  
24 Intel and Apple understand that the Interested Parties consider the information regarding their  
25 negotiations with Intel and Apple described in the Amended Complaint to be confidential, and Intel  
26 and Apple therefore told the Interested Parties that they would file this information under seal. Intel  
27 and Apple understand that the Interested Parties may seek to file further declarations in support of  
28

1 sealing this information. Selwyn Decl. ¶ 8.

2 Portions of the Amended Complaint contain information regarding damages claims made by  
3 Defendant Seven Networks LLC (“Seven Networks”) in another litigation. Apple understands that  
4 Seven Networks may consider this information to be Highly Confidential – Attorneys’ Eyes Only.  
5 Intel and Apple expect that Seven Networks may seek to file a declaration in support of sealing this  
6 information. Selwyn Decl., ¶¶ 9-10.

7  
8 For the foregoing reasons, Intel and Apple move to file portions of the Amended Complaint  
9 under seal.

10  
11 DATED: August 4, 2020

Respectfully submitted,

12 By: /s/ Mark D. Selwyn

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INTEL CORPORATION, APPLE INC.

**CERTIFICATE OF SERVICE**

On this 4th day of August 2020, I hereby certify that I caused the foregoing document entitled Intel Corporation and Apple Inc.'s Administrative Motion to File Amended Complaint Under Seal to be filed via the court's CM/ECF system, which shall send notice to the counsel of record for the parties.

DATED: August 4, 2020

Respectfully submitted,

By: /s/ Mark D. Selwyn

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